

collective conscience and traditions and make for free citizens in a true sense. The Indian state has to remove these anomalies in civil society. It has to take steps to

facilitate a free individual choice in matter of marriage. This would certainly make some basic contribution to the making of Indian nationhood even if only gradually.

Banning Child Labour

Krishna Kumar

The Supreme Court's order banning child labour in 'beedi' manufacturing is a modest achievement which will need sustained vigilance and struggle if it is not to fizzle out.

THE recent order issued by the Supreme Court banning child labour in 'beedi' manufacturing marks a culmination of the sustained efforts made over the last decade to highlight the oppression of child workers. These efforts included studies of the conditions of child workers and also legal actions initiated by concerned individuals and groups. That it is a modest achievement, which will need sustained vigilance and struggle if it is not to fizzle out, is inherent in the court's cautious injunction to the states giving three years to phase out child labour in the beedi trade.

Time has no definite meaning or value in our society. Politicians and bureaucrats are fond of believing that public memory is short; the fact is that administrators also rarely show ready memory of their own commitments. Indeed, the new accepted ideology of development calls upon people to remind the government of their rights. It is in this context that one worries about the fate of beedi-making children. If their legal right to freedom from the oppressive conditions of beedi manufacturing has to depend on individuals or institutions eager to take up their cause in public interest, then there is not much hope for these children in many areas of the country where vigilant voices, whether personal or institutionalised, are non-existent. One fears that not only will these children continue to roll beedis in oppressive conditions and for a pittance of a wage; it is not unlikely that their parents will become victims of blackmail at the hands of inspectors who will use the ban order to extort the price of keeping children's lucrative activity unreported.

It is hardly unfair to say that in the present-day scenario the judiciary is serving mainly a psychological role by issuing orders such as this one. The order may bring no change whatsoever in the lives of the lakhs of children rolling beedis, but it certainly puts a precious mouthful of breath into the sinking heart of liberal faith. At a time when the state seems to have lost all but nominal interest in improving the social destiny of children, many arguing for a total ban on child labour still believe that this can be achieved

by making primary education compulsory. A strong plea along this line has recently been made by the American political scientist Myron Weiner whose book on child labour and the Indian state is circulating faster in its Indian reprint than any word against child labour spoken earlier by an Indian, be it Kamladevi Chattopadhyay or Sheela Barse, has. Weiner says in unabashed Orientalist style that Indians view child labour in a highly ambivalent manner *because* of factors rooted in their culture. Weiner's analysis has no room for issues like the direction that Indian economic planning is taking under the leadership of ideas flowing from America, and surely Weiner wastes no words in the eight pages he uses delineating the American example on the continued exploitation, abuse and co-optive education of America's black children. Nor does he have anything to say of the economic adjustment policies that many countries like India have been forced to

follow as a result of their increasing indebtedness to the wealthy countries of the world.

Two years ago, UNICEF's *State of the World's Children* had drawn attention to the disastrous effects these policies were having on children of third world nations. These effects are likely to surface sharply in our country in the coming years, with the burden of the new, so-called open economy falling on the shoulders of the poorest sections of society, both directly by way of steep inflation in the price of essential necessities, and indirectly by way of the state's virtual abdication of educational and health-related responsibilities, especially the responsibility to improve the system. Unprecedented amounts of foreign funds are currently being pumped into elementary education. In the absence of structural reforms, especially those relating to the powers of officials *vis-a-vis* the teachers, such liberal inflow of hard currencies can only be expected to make the education system more corrupt and unaccountable. The old dream of compulsory primary education seems to have today even less of a chance of becoming reality than it had some years ago. As Yash Aggrawal of the National Institute of Educational Planning and Administration has pointed out in a published analysis, the situation has not been becoming brighter but grimmer. The Supreme Court can hardly be expected to throw life into a state's memory which has all but lost track of its meaningfulness for children.

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